

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MIGUEL ANGEL ALVAREZ,

Defendant.

4:14CR3126

ORDER

The government has moved to continue the trial currently set for December 29, 2014. (Filing No. 31). As explained in the motion, the defendant's newly appointed counsel needs additional time to review discovery and prepare for trial. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) The government's motion to continue, (filing no. 31), is granted.
- 2) A status hearing is set to commence before the Honorable Cheryl R. Zwart, United States Magistrate Judge, in Courtroom 2, United States Courthouse, Lincoln, Nebraska, at 10:30 a.m. on January 27, 2015. The defendant, his counsel, and counsel for the government are ordered to attend.
- 3) Based upon the showing set forth in the government's motion and the representations of counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the additional time arising as a result of the granting of the motion, the time between today's date and January 27, 2015, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7).

December 19, 2014.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge